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April 17, 1980

#4

Mr. Darrel V. Leamaster  
Manager  
Castle Valley Special  
Services District  
P.O. Box 553  
Castle Dale, Utah 84513

RE: Tentative Approval  
Co-op Mining Company  
Bear Creek Canyon Mine  
ACT/015/025

Dear Mr. Leamaster:

This letter is to inform you that the Division has proceeded to issue tentative approval to the above mentioned mine. We do so after long debate over the conditions at the mine and the protest which Castle Valley Special Services District filed with Board Chairman, Mr. Charles Henderson, on August 13, 1979.

You will recall that since the time of the protest we have attempted to achieve resolution of the issue in regards to water and the protection of the Special Services District Water Right in the vicinity of the mine through a mutual agreement between that district and the operator. It now appears that resolution of the problem in this manner is not going to come to fruition. The Division therefore has proceeded with tentative approval for this mine.

With the issuance of tentative approval, the 30 day period for official public comment for protest begins. This letter is to remind you that the tentative approval will be published as the Utah Statute prescribes and that the Special Services District at this time, if it desires, should file its formal protest to the approval of the mining operation. With the filing of the District's official protest to the approval, the matter will be set for hearing and the Board of Oil, Gas and Mining will hear the evidence in the case.

Mr. Darrel V. Leamaster  
April 17, 1980  
Page Two

There is no need to renew the full text of your objection of August 13, 1979, unless new evidence can be presented relative to your protest. Merely submit a letter which references that previous protest and indicates you renewed protest under the official terms of the Mined Land Reclamation Act.

The Division sincerely hopes that the matter can be resolved between the Special Services District and Co-op Mining prior to the time that it is set for hearing. If you need additional information on the protest procedures or on the tentative approval on this mining operation, please do not hesitate to contact this office.

Sincerely,



RONALD W. DANIELS  
COORDINATOR OF MINED  
LAND DEVELOPMENT

RWD/te

cc: Mr. Dee Hansen, State Engineer  
Mr. Don Crane, Office of Surface Mining